

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

RANDY BERNSTINE,

Plaintiff(s),  
(Petitioner)

V.

THE COMMISSIONER OF SOCIAL  
SECURITY ADMINISTRATION,

Defendant(s),  
(Respondent)

Case No. CV-05-3397-EMC

ORDER RE APPLICATION  
TO PROCEED  
IN FORMA PAUPERIS

☒ **IT IS ORDERED** that the application to proceed in forma pauperis is *GRANTED* and that the Clerk issue summons.

**IT IS FURTHER ORDERED** that the U.S. Marshal for the Northern District of California serve, without prepayment of fees, a copy of the complaint, any amendments, scheduling orders, attachments, plaintiff's affidavit and this order upon the defendant.

☐ **IT IS ORDERED** that the application to proceed in forma pauperis is *DENIED*, and that the filing fee of \$250.00 be paid no later than \_\_\_\_\_. Failure to pay the filing fee by that date will result in dismissal of the above-entitled action without prejudice. The plaintiff is hereby apprised of his/her responsibility to serve the complaint and any amendments, scheduling orders, attachments, pursuant to Rule 4, Federal Rules of Civil Procedure. Plaintiff has a continuing obligation to keep the Court informed of his or her current address. Failure to do so may result in dismissal of this action.

☐ **IT IS ORDERED** that the application to proceed in forma pauperis is *DENIED* and that plaintiff is further ordered to make partial payment of the filing fee in the amount of \$ \_\_\_\_\_ by \_\_\_\_\_. Failure to pay this amount will result in dismissal of the above-entitled action without prejudice. The plaintiff is hereby apprised of his/her responsibility to serve the complaint and any amendments, scheduling orders, attachments, pursuant to Rule 4, Federal Rules of Civil Procedure. Plaintiff has a continuing obligation to keep the Court informed of his or her current address. Failure to do so may result in dismissal of this action.

Dated: 9/23/05

  
UNITED STATES MAGISTRATE JUDGE

(Not to be used in HABEAS CORPUS cases)